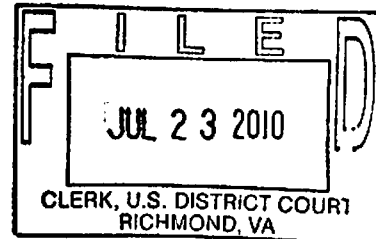


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



ePLUS, INC.,

Plaintiff,

v.

Civil No. 3:09cv620

LAWSON SOFTWARE, INC.

Defendant.

ORDER

Having reviewed the DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Docket No. 240), it is hereby ORDERED that, to the extent the motion seeks judgment for failure to mark under 35 U.S.C. § 287, direct infringement, indirect infringement and obviousness under 35 U.S.C. § 103, the motion is denied because there are genuine issues of material fact relevant to those issues. To the extent the motion seeks judgment that the means-plus-function claims are invalid as indefinite under 35 U.S.C. § 112 ¶ 2, the motion is merely a motion to reconsider the Markman decision without satisfying any of the factors that warrant reconsideration, and, therefore, it is hereby ORDERED that the motion is denied.

The issues are adequately briefed and oral argument would not materially aid the decisional process.

It is so ORDERED.

/s/ REP
Senior United States District Judge

Richmond, Virginia
Date: July 22, 2010